

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**BOARD OF ZONING ADJUSTMENT**



Application No. 13293, of GLM Corporation, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the off-street parking requirements (Sub-section 7202.1) to use all floors of the subject premises as an apartment house consisting of four units in an R-5-B District at the premises 1450 Fairmont Street, N.W., (Square 2665, Lot 808).

HEARING DATE: July 23, 1980  
DECISION DATE: September 3, 1980

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District on the south side of Fairmont Street between 14th Street and University Place, N.W.
2. The subject property is improved with a three story plus basement brick row structure.
3. The building is presently vacant. Its last legal use was as a single family dwelling. There is no certificate of occupancy on record authorizing any other use.
4. The applicant proposes to renovate the building and convert it for use as an apartment house containing four units. Each floor would contain a two bedroom unit. Such a use is permitted as a matter-of-right in the R-5-B District.
5. Under the Zoning Regulations, one off-street parking space is normally required for each two dwelling units in an apartment house in an R-5-B District. Since the previous use was required to provide one parking space, under the terms of Sub-section 7201.2, only one parking space is required to convert the building to apartments. As the applicant proposes to provide no off-street spaces, a variance is required.
6. There is no access to the rear yard of the subject properties for vehicles. The building has no side yards, and there is no public street or alley in the rear.

Application No. 13293  
Page 3

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.

7. The applicant proposes to rent the apartments under the HUD Section 8 rent subsidy program. The applicant testified that it is not economically feasible to renovate the building for market rate rental housing.

8. There was no report from Advisory Neighborhood Commission 1B.

9. There was no opposition to the application.

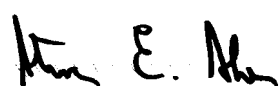
CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the nature of the existing property, without side yards and without access for a car to the rear yard from a street or alley, does create an exceptional condition. The Board notes that the use proposed is permitted as a matter-of-right, and concludes that denial of the application would constitute a practical difficulty for the owner. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 4-0 (Walter B. Lewis, Connie Fortune and Charles R. Norris to GRANT; William F. McIntosh to GRANT by PROXY; Leonard L. McCants not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER:

6 OCT 1980